

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHASE WILLIAMS AND WILLIAM
ZHANG, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

BLOCK.ONE, BRENDAN BLUMER, and
DANIEL LARIMER,

Defendants.

Civ. No. 1:20-cv-2809-LAK

CLASS ACTION

CRYPTO ASSETS OPPORTUNITY FUND
LLC and JOHNNY HONG, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

BLOCK.ONE, BRENDAN BLUMER,
DANIEL LARIMER, IAN GRIGG, and
BROCK PIERCE,

Defendants.

Civ. No.: 1:20-cv-3829

CLASS ACTION

**DECLARATION OF DANIEL L. BERGER
ATTACHING AMENDED STIPULATION OF SETTLEMENT**

I, DANIEL L. BERGER declare as follows:

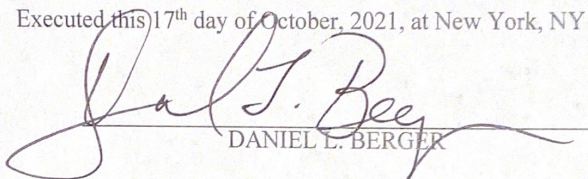
1. I am a director of Grant & Eisenhofer P.A. (“Grant & Eisenhofer”), Lead Counsel for Lead Plaintiff Crypto Assets Opportunity Fund LLC (“Lead Plaintiff” or “CAOF”).

2. Attached as Exhibit A to this Declaration is an Amended Stipulation of Settlement, executed by the parties on October 11, 2021 by the parties to the original Stipulation of Settlement in this Action (ECF 112-1) (“Original Stipulation”). Lead Plaintiff and Defendants agreed to amend the Original Stipulation, that had been entered into by the parties and filed with the Court on June 11, 2021. The purpose of this Amended Stipulation is to make clear that the release of claims by the Class does not include certain persons that were not intended to be covered by the release. Specifically, the Amended Stipulation excludes Binance, Changpeng Zhao, Yi He, Roger Wang, KuCoin, Michael Gan, Johnny Lyu and Eric Don from the definition of “Released Defendant Parties” in paragraph 1.28 of the Amended Stipulation. These entities and individuals are defendants in certain other actions pending in this Court: *Lee v. Binance*, Case No. 20-cv-2803, and *Williams v. Kucoin*, Case No. 20-cv-2806 (the “Other Actions”). Counsel for plaintiffs in the Other Actions requested that the parties here clarify that the release of claims and parties in the Settlement now before the Court does not include those persons and entities. Both Lead Plaintiff and Defendants in this action did not intend the releases in the Original Stipulation to include these persons and entities, and do not believe that the original language encompassed them. However, to avoid any doubt, Lead Plaintiff and Defendants agreed to amend the release language in the Stipulation to expressly state that, should the settlement be approved, it will not release any claims against those persons and entities.

3. The change in paragraph 1.28 of the Amended Stipulation is the only change to the Original Stipulation; all other terms remain the same as in the Original Stipulation.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 17th day of October, 2021, at New York, NY


DANIEL L. BERGER